

From: [Christopher Ruhl](#)
To: [Philip Allen](#)
Cc: [Barry Forsythe](#); [Gary Moore](#); [Gloria-Small Moran](#); jessica.white@noaa.gov; [Philip Turner](#); [Rafael Casanova](#); [Sue Westbrook](#); [Terry Sykes](#)
Subject: Re: Fw: Superior Crude Gathering - Falcon Refinery - Ingleside, Texas
Date: 04/23/2010 02:22 PM

Philip--

The plan is not acceptable. I submitted the following comments to TRRC on April 15th. Many of which were incorporated into the TRRC's response dated April 19th.

I think the most important thing that needs to be addressed is what the objective for the sampling is. The plan appears to me that it has been written for remediation not for excavation and disposal. I will provide you a written reply tomorrow about EPA's position on in situ remediation vs. excavation and disposal. This will also include the answers to the other questions we discussed late last week.

To determine the extent of contamination additional sample points will likely be necessary. A vertical assessment needs to be conducted to determine the depth of contamination. One approach would be taking grab samples at various levels. This would allow for a better picture of the concentration of TPH at various depths. The plan prescribes 0-6". Oil likely penetrated deeper. I would expect this occurred at a minimum within the areas near the release points from the tanks, where oil escaped through the containment walls, and through the piping that allowed for the transfer of oil from one containment to another. Also, can it be expected that oil saturated soil is also present under the tanks near the tank spill points. If so, how does Superior intend to determine the extent of contamination under the tanks, and if found, how to address it.

I am attaching the electronic version of the map depicting the areas that oil had impacted. Superior indicated that sample locations are to be captured using a Trimble unit. I can provide our raw Trimble data that should be able to be transferred into Superior's Trimble to provide them an outline of the areas we noted as being contaminated. I would expect the horizontal contamination should be very similar.

It may also be useful to take samples within the containment areas that it are believe to be "clean" to establish a background. It may be useful for Superior to address how they intend to delineate historical contamination vs. that caused from the spill.

Superior mentioned in the plan that sample characteristics (odor, color) will be logged. It may be useful for a comparison to be made between field observations and TPH concentrations to establish if samples that appear contaminated are supported by analytical results. If this correlation could be made it would be useful because if Superior is required to excavate the material they could use field observations as a guide. If Superior is not required to excavate then this recommendation is not applicable.

I also think that it would be valuable for there to be TRRC representatives on site during the sampling event to ensure that representative samples are taken. This is especially true if Superior is allowed to do in situ remediation because if any short cuts are taken it could greatly impact the successfulness of future cleanup. I would



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expect that it would take a day, maybe two to complete the sampling.

EPA typically requires sample duplicates for 10% vs. the 5% Superior has prescribed.

Last point, if Superior is allowed to do in situ remediation then it is likely that the normal parameters that TRRC would typically require for oil spill remediation projects should be sufficient. The additional parameters that we have previously discussed would only be necessary for disposal. Either way, for the purpose of determine the extent of contamination I would limit the parameters to be sampled for during this phase to those necessary to identify where the oil is present. If it is determined that they need to dispose of the waste off site then separate representative sampling could be done for disposal profiling purposes once soil is stockpiled in which the expanded list of parameters would apply. Superior should champion this idea as it should reduce their project analytical costs.

As a follow-up to the TXRRC response to Superior's proposed plan, Superior is requesting a meeting with TXRRC next week. The biggest issues are how to adequately conduct the site investigation and disposal vs. remediation. EPA has been invited to attend.

After Superfund's meeting with RCRA yesterday, it appears that the area impacted by oil spill that has not been cleaned up may be a RCRA issue. I am scheduled to go out with Sue Westbrook next week to do a site visit. RCRA may decide to take a RCRA corrective action. If this is the case, this will greatly change EPA's role from providing technical assistance to overseeing the site cleanup.

My read on this is that Superior wants to handle this like a typical oil spill that has the RCRA E&P exemption. This exemption does not apply to this facility. Therefore, Superior must conduct an extent of contamination investigation, properly characterize the waste, and send the waste to a properly permitted landfill.

Chris Ruhl
USEPA Region 6
Federal On-Scene Coordinator
(214) 665-7356 office

▼ Philip Allen---04/23/2010 12:37:48 PM---All, Please take a look at this work plan and let me know if you have any concerns; and provide com

From: Philip Allen/R6/USEPA/US
To: Rafael Casanova/R6/USEPA/US@EPA, Christopher Ruhl/R6/USEPA/US@EPA, Gloria-Small Moran/R6/USEPA/US@EPA, Gary Moore/R6/USEPA/US@EPA
Cc: jessica.white@noaa.gov, Barry Forsythe/R6/USEPA/US@EPA, Philip Turner/R6/USEPA/US@EPA
Date: 04/23/2010 12:37 PM
Subject: Fw: Superior Crude Gathering - Falcon Refinery - Ingleside, Texas

All,

Please take a look at this work plan and let me know if you have any concerns; and provide comments as appropriate, and as soon as practical.

As always thanks for your help.

Kindest Regards,

Phil Allen

----- Forwarded by Philip Allen/R6/USEPA/US on 04/23/2010 12:43 PM -----

Superior Crude Gathering - Falcon Refinery - Ingleside, Texas

**Heidi
Bojes** to: Philip Allen

04/23/2010
12:24 PM

Cc: "David Cooney", "Peter Pope"

Phillip,

I am sending you a copy of Superior's work plan and a copy of RRC's response to the work plan.

Last time we spoke you mentioned that you wanted this information.

Thanks,

Heidi
512-475-3089

[attachment "Superior work plan.pdf" deleted by Christopher Ruhl/R6/USEPA/US] [attachment "2010 04 19 DO Resp to Site Investigation Work Plan.pdf" deleted by Christopher Ruhl/R6/USEPA/US]